

<b>TO: Mail Stop 8</b> <b>Director of the U.S. Patent and Trademark Office</b> <b>P.O. Box 1450</b> <b>Alexandria, VA 22313-1450</b>	<b>REPORT ON THE</b> <b>FILING OR DETERMINATION OF AN</b> <b>ACTION REGARDING A PATENT OR</b> <b>TRADEMARK</b>
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In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court Eastern District of North Carolina on the following ☒ Patents or ☐ Trademarks:

DOCKET NO. 5:09-cv-005310BO	DATE FILED 12/9/2009	U.S. DISTRICT COURT Eastern District of North Carolina
PLAINTIFF Tekelec		DEFENDANT Performance Technologies, Incorporated
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 6,967,956 —	11/22/2005	Tekelec
2 6,987,781 —	1/17/2006	Tekelec
3 7,050,456 —	5/23/2006	Tekelec
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In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED 3/3/2010	INCLUDED BY <input checked="" type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading	
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 7,260,086 —	8/17/2007	Tekelec
2 7,088,728 —	8/8/2006	Tekelec
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In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT
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CLERK DENNIS P. IAVARONE, CLERK	(BY) DEPUTY CLERK <i>[Signature]</i>	DATE 3/10/10
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Copy 1—Upon initiation of action, mail this copy to Director    Copy 3—Upon termination of action, mail this copy to Director  
 Copy 2—Upon filing document adding patent(s), mail this copy to Director    Copy 4—Case file copy